



General Assembly

Substitute Bill No. 5173

February Session, 2012

* ____HB05173FIN__042612__ *

AN ACT CONCERNING STATE MILITARY FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-39 of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) As used in this section "military facility" means any state-owned
5 or controlled military building, structure or training site.

6 (b) The Adjutant General is charged with the responsibility for the
7 use, [and] maintenance and leasing of all armories, rifle ranges,
8 military facilities, reservations and other military property under the
9 provisions for such use imposed by the statutes. Each military facility
10 shall be under the charge of a commissioned officer, designated by the
11 Adjutant General. [, and may be leased by him as herein prescribed.]
12 Each application for the lease of such facility shall be made to [the
13 officer in charge of such facility, who shall forward such application
14 to] the Adjutant General, who shall approve or disapprove such
15 application and so advise the applicant. The Adjutant General shall
16 limit the lease of military facilities to military and nonprofit
17 organizations, organizations receiving state aid and governmental
18 agencies. Proceeds from the lease of military facilities shall be paid to
19 the Adjutant General, who shall promptly [pay] transmit such
20 proceeds [into the Treasury of the state] to the State Treasurer for

21 deposit in the military facilities account established under subsection
22 (e) of this section. The Adjutant General shall, in military facilities
23 where space is available, assign space to veterans' service
24 organizations for their joint uses, subject to the regulations concerning
25 military facilities. Units of the armed forces of the state and veterans'
26 organizations jointly utilizing military facilities shall be allowed the
27 use of the drill shed and such other portions of the [building] facility as
28 are usually included when military facilities are leased, upon proper
29 application through regular channels and subject to the following
30 conditions and terms: (1) When no admissions are charged, the lease
31 shall be free up to midnight on the regular meeting night of the
32 organization making application; [. If] (2) if the use of the military
33 facility is required after midnight, the regular military rate shall be
34 charged; [. At] and (3) at all other times and for entertainments when
35 admissions are charged, the military rate shall be charged to veterans'
36 organizations jointly using the military facility.

37 (c) Nothing in this chapter shall be construed as allowing the lease
38 of, or assignment of space in, any military facility (1) on the drill night
39 of any active military organization stationed in the facility or in a
40 manner that conflicts with the military usage of the facility, [or] (2) at a
41 reduced rate by any veterans' organization for the purpose of
42 conducting any athletic contest or other entertainment for which full
43 nonmilitary rate is charged military organizations, or (3) in a manner
44 that conflicts with federal military regulations. In no case shall any
45 veterans' organization be allowed use of any military facility for the
46 purpose of subleasing.

47 [(c)] (d) Agricultural and other associations that receive state aid
48 and military organizations may be allowed the use of military facilities
49 at a cost not exceeding the actual maintenance cost of such facilities
50 during the period of such use. Applications for such use may be made
51 to the Adjutant General, [through the officer in charge of the military
52 facility desired to be used.] In all cases [when admission is charged] of
53 lease or use of a facility by a nongovernmental entity, a certificate of
54 insurance, approved by the Adjutant General, indemnifying the state

55 against injuries to person and damage to property shall be furnished,
56 the cost of the certificate to be in addition to the leasing or maintenance
57 charge. The Adjutant General may allow the use of any military
58 facility, without charge, by (1) any public or private nonprofit
59 elementary or secondary school or any public institution of higher
60 education for purposes of athletic events with respect to which no
61 admission is charged, (2) the American Red Cross for purposes of
62 blood supply programs, and (3) any local, state or federal
63 governmental agency, provided any such use does not conflict with
64 the use of such facility for military purposes or with federal military
65 regulations. The Adjutant General shall allow the use of the military
66 facilities associated with the first and second companies of the
67 Governor's Horse Guards in the towns of Avon and Newtown,
68 without charge, by nonprofit organizations receiving contributions to
69 support such Horse Guards for purposes of fundraising, provided
70 such use does not conflict with the use of such facilities for military
71 purposes.

72 (e) There is established an account to be known as the "military
73 facilities account" which shall be a separate, nonlapsing account within
74 the General Fund. The account shall contain (1) any amounts
75 appropriated or otherwise made available by the state for the purposes
76 of the account, (2) any moneys required by law to be deposited in the
77 account, and (3) gifts, grants, donations or bequests made for the
78 purposes of the account. Moneys in the account shall be expended by
79 the Military Department for the maintenance and renovation of
80 military facilities.

81 ~~[(d)]~~ (f) Not later than August [1, 2007, and] first, annually,
82 [thereafter,] the Adjutant General shall submit a report of the amount
83 of proceeds received from leasing each military facility and the
84 expenses of each such facility, for the twelve-month period ending on
85 June thirtieth of the same year, to the [Military Department, the joint
86 standing committee of the General Assembly having cognizance of
87 matters relating to public safety and the] select committee of the
88 General Assembly having cognizance of matters relating to veterans'

89 affairs, in accordance with the provisions of section 11-4a.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	27-39
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VA	Joint Favorable Subst. C/R	GAE
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GAE *Joint Favorable Subst.-LCO*

FIN *Joint Favorable*